

By: Martinez Fischer

H.B. No. 1499

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the speed limits on a highway adjacent to a park or  
3 recreational area.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 545.352(b), Transportation Code, as  
6 amended by Chapters 663, 739, and 1346, Acts of the 76th  
7 Legislature, Regular Session, 1999, is reenacted and amended to  
8 read as follows:

9 (b) Unless a special hazard exists that requires a slower  
10 speed for compliance with Section 545.351(b), the following speeds  
11 are lawful:

12 (1) 30 miles per hour in an urban district on a street  
13 other than an alley and 15 miles per hour in an alley;

14 (2) 70 miles per hour in daytime and 65 miles per hour  
15 in nighttime if the vehicle is on a highway numbered by this state  
16 or the United States outside an urban district, including a  
17 farm-to-market or ranch-to-market road, except as provided by  
18 Subdivision (4);

19 (3) 60 miles per hour in daytime and 55 miles per hour  
20 in nighttime if the vehicle is on a highway that is outside an urban  
21 district and not a highway numbered by this state or the United  
22 States;

23 (4) outside an urban district:

24 (A) 60 miles per hour if the vehicle is a school

1 bus that has passed a commercial motor vehicle inspection under  
2 Section 548.201 and is on a highway numbered by the United States or  
3 this state, including a farm-to-market road;

4 (B) 50 miles per hour if the vehicle is a school  
5 bus that:

6 (i) has not passed a commercial motor  
7 vehicle inspection under Section 548.201; or

8 (ii) is traveling on a highway not numbered  
9 by the United States or this state; or

10 (C) 60 miles per hour in daytime and 55 miles per  
11 hour in nighttime if:

12 (i) the vehicle is a truck, other than a  
13 light truck, or [~~if~~] the vehicle is a truck tractor, trailer, or  
14 semitrailer; and

15 (ii) the vehicle is on a farm-to-market or  
16 ranch-to-market road;

17 (5) on a beach, 15 miles per hour; [~~or~~]

18 (6) on a county road adjacent to a public beach, 15  
19 miles per hour, if declared by the commissioners court of the  
20 county; or

21 (7) on a highway adjacent to land designated by the  
22 Parks and Wildlife Department or any political subdivision in the  
23 state as a park or recreational area, 20 miles per hour.

24 SECTION 2. Section 708.052(d), Transportation Code, is  
25 amended to read as follows:

26 (d) Notwithstanding Subsection (b), the department may not  
27 assign points to a person's driver's license if the offense of which

1 the person was convicted is the offense of speeding and the person  
2 was at the time of the offense driving less than 10 percent faster  
3 than the posted speed limit. This subsection does not apply to an  
4 offense committed:

5 (1) in a school crossing zone as defined by Section  
6 541.302; or

7 (2) on a highway described by Section 545.352(b)(7).

8 SECTION 3. The change in law made by this Act to Section  
9 708.052(d) applies to an offense committed on or after the  
10 effective date of this Act. An offense committed before the  
11 effective date of this Act is covered by the law in effect when the  
12 offense was committed, and the former law is continued in effect for  
13 that purpose. For purposes of this section, an offense was  
14 committed before the effective date of this Act if any element of  
15 the offense was committed before that date.

16 SECTION 4. This Act takes effect September 1, 2007.